

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No. 24-cr-202 (DSD/TNL)

Plaintiff,

v.

ORDER

Rashard Dujan Ross (1),
Harry Hank Lloyd (2), and
Kevin Albert Murphy (3),

Defendants.

This matter comes before the Court on Defendants Rashard Dujan Ross, Harry Hank Lloyd, and Kevin Albert Murphy’s Joint Motion for Extension of Time for Motions Hearing, ECF No. 81.

Defendants request that the motions hearing set for October 15, 2024, be continued by at least 30 days. ECF No. 81 at 2. Defendants state that they received additional discovery within the last week and need time to review the discovery and discuss its contents with their respective counsel. *Id.* at 1. The Government has no objection to the requested extension. *Id.* at 2. Because this is a joint case and because a joint motion was filed, the motions hearing will be continued for all three Defendants.

Defendants also request that “any new motions, based on the recent disclosures, be filed 14 days before the motions hearing.” *Id.* To provide the Government with an adequate amount of time to respond to any new motions, the Court will instead order a standard briefing schedule, based on the timing in Local Rule 12.1.

Although Defendants did not request an exclusion under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendants in a speedy trial and such continuance is necessary to provide Defendants and their counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources. Accordingly, and because motions have already been filed in this case, the Court will exclude the time between the date of this order and the date of the motions hearing.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendants' Joint Motion for Extension of Time for Motions Hearing, ECF No. 81, is **GRANTED**.

2. The period of time from **the date of this Order through December 12, 2024**, shall be excluded from Speedy Trial Act computations in this case.

3. Any new motions in the above-entitled case based on the recently provided discovery must be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **November 14, 2024**. D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses must be delivered directly to the chambers of Magistrate Judge Leung.

4. **Counsel must electronically file a letter on or before November 14, 2024 if no new motions will be filed.**

5. All responses to any new motions must be filed by **December 2, 2024**. *See* D. Minn. LR 12.1(c)(2).

6. Any Notice of Intent to Call Witnesses based on any new motion must be filed by **December 2, 2024**. *See* D. Minn. LR. 12.1(c)(3)(A).

7. Any Responsive Notice of Intent to Call Witnesses based on any new motion must be filed by **December 5, 2024**. *See* D. Minn. LR 12.1(c)(3)(B).

8. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures and a defendant identifies in the motions particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

9. The motions hearing before Magistrate Judge Tony N. Leung is continued to **December 12, 2024, at 10:00 a.m.**, in Courtroom 9W, Diana E. Murphy United States Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota. *See* D. Minn. LR 12.1(d).

10. **TRIAL: The trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for District Judge David S. Doty to confirm the new trial date.**

(Order continues on next page)

Dated: October 10, 2024

/s/ Tony N. Leung
Tony N. Leung
United States Magistrate Judge
District of Minnesota

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